

REMARKS

This Response is in reply to the Office Action mailed on March 24, 2006. In accordance with the Examiner's instructions, claims 8-12 have been renumbered herein as claims 7-11. All references to claim numbers herein refer to the claims as newly numbered. Claims 1-17 are pending. Claims 1, 4, and 7-11 have been amended herein and claims 12-17 are newly added. No new matter has been added. Support for newly added claims 14-17 can be found in Figure 5. Entry and consideration of the amendments and following remarks is respectfully requested.

The abstract has been amended herein to overcome the objection to the specification. Additionally, a minor amendment has been made to claim 10 to correct the typographical error that led to the rejection of claims 10 and 11 as indefinite under 35 U.S.C. § 112, second paragraph. Accordingly, this rejection has been overcome and should be withdrawn.

AMENDMENTS TO CLAIM 1

Claim 1 was amended herein to clarify the invention by adding structure to the corrugated board assembly and by specifying the means by which the clear front panel is received and retained by the corrugated board assembly in its assembled state. The limitation that the clear front panel have an assembled and unassembled state was removed from claim 1 and reintroduced as newly added claim 12 which depends from claim 1. As a result of this amendment claims 4, 7, and 9 were amended to depend from claim 12.

None of the cited references teach or suggest the invention as recited in claim 1, as currently amended. There is no teaching of a clear front wall having at least one locking tab. Certainly there is no disclosure of the locking tabs of a clear front panel being received and retained by a slit in a corrugated board assembly, as recited in claim 1.

NEWLY ADDED CLAIMS 14-17

Newly added independent claim 14 is patentable over the prior art. The prior art does not teach or suggest a display carton with the recited structure having a clear front lip as recited. The clear front lip provides the advantage of retaining the product within the display carton while not interfering with a consumer's ability to see or access the product. This advantage is maintained even if only a small amount of product remains at the bottom of the carton, as a result of the structure of the carton in conjunction with the height of the lip. Accordingly,

REJECTIONS UNDER 35 U.S.C. § 102 and § 103

Although Applicant traverses the rejections, these rejections have been mooted by the amendments to claim 1. As discussed above, the prior art fails to teach or suggest the claimed invention. Accordingly, the Examiner is requested to withdraw the rejections and to place the application in condition for allowance.


CONCLUSION

In view of the amendments to claims 1, 4, and 7-11 made herein and the arguments presented above, it is submitted that the Examiner's rejections have been overcome and should be withdrawn. The application should now be in condition for allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

This Response is being filed with a petition for a 3-month extension of time and the required fee. In the event that any other extensions and/or fees are required for the entry of this Amendment, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 23-2820 in the name of Wolf, Block, Schorr & Solis-Cohen LLP. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
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